

**PUBLIC WORKS AND TRANSPORTATION COMMITTEE  
of the  
SUFFOLK COUNTY LEGISLATURE**

**Minutes**

A regular meeting of the Public Works and Transportation Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial highway, Smithtown, New York, on **December 9, 2003**.

**MEMBERS PRESENT:**

Legislator Joseph Caracappa - Chairman  
Legislator Brian Foley - Vice-Chairman  
Legislator William Lindsay  
Legislator George Guldi  
Legislator Andrew Crecca  
Legislator Peter O'Leary

**ALSO IN ATTENDANCE:**

Charles Bartha - Commissioner - DPW  
Rich LaValle - Chief Deputy Commissioner - DPW  
Fred Pollert - Director, Budget Review  
Bob Shinnick - Director of Highway and Transportation - DPW  
Ben Wright - Director of Sanitation - DPW  
Jim Peterman - Highway Design  
Ray Zaccaro - Aide to Legis. Bishop  
Legislator Bishop  
All Other Interested Parties

**MINUTES TAKEN BY:**

Donna Catalano - Court Stenographer

(\*THE MEETING WAS CALLED TO ORDER AT 3:15 P.M.\*)

**CHAIRMAN CARACAPPA:**

I'd like to call the Public Works, Transportation Committee to order with the Salute to the Flag led by Legislator O'Leary.

**SALUTATION**

**CHAIRMAN CARACAPPA:**

Good afternoon, everybody. I'd like to start the meeting by first and foremost wishing a speedy recovery to Deputy Commissioner Leslie Mitchel. We all hope she is feeling better quickly, we as a committee and the Legislature send our best. Also, I just ask for a moment of reflection for former DPW Commissioner Bart Kass who recently passed away. A memorial service is being held on December 11th, 11 a.m. at the Bayport United Methodist church. I wanted to make sure that committee members of the members of the Legislature are aware of his passing. With that being said, we have no cards. I'd ask the Commissioner to come forward. Good afternoon, Charlie.

**COMMISSIONER BARTHA:**

Good afternoon. Thank you for the introductions.

**CHAIRMAN CARACAPPA:**

Would you like to speak on any resolutions today? I think it's pretty clear cut as to which direction we're going here.

**COMMISSIONER BARTHA:**

I agree with respect to the agenda. There's something I'd like to bring to your attention, I believe you are going to be seeing CN's related to this at the General Meeting. You, I believe it was the most recent meeting, approved a resolution that provided for dredging the Smiths Point that was going to put sand on the beach at Smiths Point. The intention was then that the sand would come from a project that the Core of Engineers was doing at Shinnecock and Moriches Inlet.

The Core is not proceeding with that project as contemplated at this point. They may possible only do it at one location, Moriches Inlet, which even though it's closer to Smiths Point, as a practical matter, you can't -- the sand can't be moved to the -- to the beach area from there, because they want to use a hooper dredge that was going to come from Shinnecock. So the resolution is very specific as to how the project was going to be funded. There is a dredge -- an ocean-going dredge in the area right now doing Islip and Brookhaven, putting sand on the ocean beaches.

Mobilization is a huge part of the expense, with any dredging operation, particularly an ocean-going dredge operation. So what we will be -- the CN that you will see will rescind the previous two resolutions, both the bond resolution and the appropriating resolution, and present you with a new resolution for the same amount of money to authorize us to contract. We would put out a bid very rapidly and try to secure a contract before this particular firm left the area.

CHAIRMAN CARACAPPA:

Commissioner, on that, do we have the time to make this happen within the environmental window and get the project done accordingly?

COMMISSIONER BARTHA:

Yes. Environmental window, yes. The contractor who is here now will be leaving the area for major dredging jobs down south, which is why we're asking for a CN to go ahead with this work this year.

CHAIRMAN CARACAPPA:

And that money that was appropriated in the prior resolution to take part in the inlet project, that's going to be sufficient to bring this group on in a timely fashion and to do the same -- same work that's anticipated?

COMMISSIONER BARTHA:

Yes. Yes.

CHAIRMAN CARACAPPA:

Very good. Legislator Foley.

LEG. FOLEY:

Thank you. Thank you, Commissioner. The work that's being done off Fire Island right now, they're going to be there until when, the end of December, early January?

COMMISSIONER BARTHA:

They are supposed to be finished immediately before Christmas.

LEG. FOLEY:

Immediately before Christmas. So the hope is that if this is approved on the 16th and we expedite a contract, that dredging would then occur prior to -- prior to Christmas?

COMMISSIONER BARTHA:

No. It would be immediately after Christmas and going into the beginning of January.

LEG. FOLEY:

With the same people.

COMMISSIONER BARTHA:

Well, we can't be assured of that, but if someone can mobilize and get there less expensively.

LEG. FOLEY:

Good point. My point though is if it's done in the middle of wintertime before -- before the -- well, in the middle of the winter season, is there a concern that much of the dredge material would be lost other the winter? Because I know -- it was understanding that when we had approved the resolution in the fall, that the expectation was to undertake the project next spring time, correct?

COMMISSIONER BARTHA:

No. It was actually over the winter, the intention was. And certainly there is a danger of material being taken away, but you

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could read into that the same danger of material that's already there being taken away.

LEG. FOLEY:

All right. Thank you.

CHAIRMAN CARACAPPA:

In the Public Safety Committee, Commissioner, we discussed the jail. Phase One of the Needs Assessment has been issued, and it's being reviewed by the members the Legislature and other members throughout the county. What role -- what role is the Department of Public Works and, I believe it's Weidersum, playing with regard to the Needs Assessment? How are you going to incorporate it? Are you waiting for Phase Two? How much has been expended with relation to planning already? Just basically, where are we at in a time frame with relation to planning and also with relation to the Needs Assessment?

COMMISSIONER BARTHA:

We have had several meetings with the Sheriff's Office and the related agencies, with the Health Department, in order to start the programming portion of the work, which is the very initial planning that's involved. We have -- we've negotiated the contract with Weidersum, we're in the process of executing the contract. And we feel it's very much fast tracked at this point, because we can't do -- we can't really go beyond the programming phase, and it's unusual to have the programming going simultaneously here. The needs analysis, we play a must less role in that, that's under the auspices of the Sheriff. Once the -- once it's defined as to the -- the precise size and the use of space there, we will be able to, you know, go right ahead. So, I mean, we are, I believe, as fast tracked as possible.

CHAIRMAN CARACAPPA:

I understand. But you are going to incorporate what the Needs Assessment comes up with into the planning.

COMMISSIONER BARTHA:  
Yes.

CHAIRMAN CARACAPPA:  
Legislator Lindsay.

LEG. LINDSAY:  
Charlie. Explain to me what -- when you say programming, what does that mean?

COMMISSIONER BARTHA:  
Programming is looking at the different needs; the need for the medical support space, the concepts of direct supervision, which is a concept that's used pretty much nationally in jails, over the past ten years, we've come to learn, getting the Sheriff's people to -- you know, that everyone agrees to what type of supervision, because that will dictate what type of facility you construct.

LEG. LINDSAY:  
So that's in the process --

COMMISSIONER BARTHA:  
That's in the process now.

LEG. LINDSAY:  
-- of being planned now.

COMMISSIONER BARTHA:  
Yes.

LEG. LINDSAY:  
We appropriated some money in '03 for planning, we have a lot more appropriated in '04, and we're just starting to execute the contracts now?

COMMISSIONER BARTHA:  
Yes.

LEG. LINDSAY:  
Which means that we really haven't started spending the planning money

at all yet.

COMMISSIONER BARTHA:

Right. We're in the very early stages of it. I say fast tracked because typically you would have waited until a needs analysis was done we knew exactly how much cells, instead, we put out an RFP with a range of cells, evaluated the firms. This was the largest professional procurement that we have done. And we worked with that process, we had interviews, you know, it was a very extensive process. And the contract negotiation on a project this size is significant.

LEG. LINDSAY:

I'm done.

LEG. FOLEY:

If I just may follow up on that too. I know this was discussed earlier today, but it's been discussed in other forums as well and there have been articles in the Times and other -- other publications. The fact of such a large contingent of mental health -- mentally ill diagnosed inmates, if you will, or folks at the jail. What is really -- what's going to be very important about this Needs Assessment is to not only identify the number of those in jail who are diagnosed as mentally ill, but also to have the Health Department, I think, involved in this, particularly the Division of Mental Health, to see if, in fact, they should be housed in a different institutional setting. Because one of the real sad ironies is the state deinstitutionalized programs some time ago.

Now many of these folks are being reinstitutionalized in a wholly inappropriate setting. It's in a jail setting as opposed to a psychiatric hospital setting. So programmatically it's the wrong approach and budgetarily, the second insult is that at least with the psychiatric hospitals, it was mainly state monies. This is all County dollars. So what I hope -- not hope, what I would expect to be part of this Needs Assessment, whether talking to DPW or perhaps better spoken to the Sheriffs about this is that part and parcel of the Needs Assessment is to identify the number of those who are diagnosed with

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mental illness and whether or not they are in an appropriate setting at the jail. I would suspect that many are not.

That being the case, would that in itself help to reduce the cost of our project by reducing the size of the -- of the building that we would need? So how would we incorporate the concerns I just outlines

into this Needs Assessment? How would we do that, Charlie? What would be the right forum to bring -- I mean, I'm bringing it up today, but with other decision makers in the planning process?

COMMISSIONER BARTHA:

Right. Absolutely. I mean, as the architects and engineers, we work with the professionals in the respective representative fields here, the Corrections people, the medical -- Health Department people, and that's why this facility, besides just the sheer the size and magnitude of it and the complexity of it, is very significant. Those are all absolutely real issues that have to be worked -- and that's why we have this, you know, a group -- no decisions are being made in isolation. And we'll be drawing all these people in as well as working with the State Commission of Corrections.

LEG. FOLEY:

I think the point -- I'll just leave with this for now. The point that needs to be impressed is that if, in fact, these individuals are being housed in the jail because of their -- because of manifestations of their mental illness, well, you know, the state should be the one to -- to be the -- supervise these folks as opposed to the County. And that being the case, it should -- programmatically it's the right approach and also from a budgetary point of view, it shouldn't be on -- shouldn't be on our side of the ledge, it should be on their's. And I think that's a broader issue that we need to talk about, not only here, but also in the Health Committee tomorrow, but also early next year as well. Thank you. Okay. Are there any other questions for the Commissioner before we get to the agenda? Commissioner, is there anything else to bring to our attention?

COMMISSIONER BARTHA:

No, that's it. Thank you.

LEG. FOLEY:

The Chair of the Committee will be back in a few moments. Why don't we go right to the -- Legislator Bishop, you certainly are talking quite a bit from side to side. Why don't you speak into the mike and ask the Commissioner the question.

LEG. BISHOP:

I'm not a member of the committee. I appreciate it. I'll stall until the Chairman gets back. Commissioner, on the jail, the bottom line is that the County hasn't expended any money in this process yet?

COMMISSIONER BARTHA:

Not to date, no, but we have expended effort as has the consultant.

LEG. BISHOP:

But you selected an architectural firm.



COMMISSIONER BARTHA:

That's correct.

LEG. BISHOP:

Okay. And I assume that the architectural firms that -- do they bid or is this a professional service?

COMMISSIONER BARTHA:

It's a professional service.

LEG. BISHOP:

So you interview, but all of them -- but basically in that interview process, you said that, well, we really don't know exactly what we want, it might be a maximum security jail, it might be, you know, something less, but it's going to be big. Is that basically what you --

COMMISSIONER BARTHA:

Well, we said anywhere between 400 and 1200 new cells.

LEG. BISHOP:

So it's a big range. That's good. All right. That's a positive.

LEG. FOLEY:

Okay. If Legislator Bishop says it's a positive, it must be a positive. Okay. Why don't we go right to the tabled resolutions then.

#### TABLED RESOLUTIONS

1543-03. Implementing leadership in energy and environment design (LEED) program for future County construction projects.  
(VILORIA-FISHER)

LEG. FOLEY:

Commissioner, I know you spoke to the sponsor of the bill other a period of months, can you tell us where -- any progress been made?

COMMISSIONER BARTHA:

No. No. Frankly, we still have an issue with the prioritization. It's our major problem with this resolution.

LEG. O'LEARY:



Motion to table.

LEG. FOLEY:  
Motion to table.

LEG. LINDSAY:  
Second.

LEG. FOLEY:  
Seconded. All in favor? Opposed? 1543 is TABLED. (VOTE:6-0-0-0)

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1860-03. Approving Cross Bay Ferry license for the Fire Island Ferries, Incorporated. (PRES. OFFICER)

LEG. FOLEY:  
Counsel, where are we with this?

MR. SABATINO:  
Public hearing was recessed, Mr. Chairman, so it will be on the 16th. So it has to be tabled.

LEG. FOLEY:  
Anyone like to speak on the resolution? Hearing none, I make the motion to table.

LEG. O'LEARY:  
Second.

LEG. FOLEY:  
Seconded by Legislator O'Leary. All in favor? Opposed? 1860 is tabled pending the recessed public hearing. TABLED (VOTE:6-0-0-0)

1862-03. Approving lateral ferry license for Fire Island Ferries, Incorporated. (PRES. OFFICER)

LEG. FOLEY:  
Counsel?

MR. SABATINO:  
Same issue, same vote.

LEG. FOLEY:

Same motion, same second, same vote. Tabled pending a public hearing.  
TABLED (VOTE: 6-0-0-0)

## INTRODUCTORY RESOLUTIONS

2025-03. Amending the 2003 Capital Budget and Program and appropriating funds in connection with the purchase of highway maintenance equipment. (COUNTY EXEC)

LEG. FOLEY:

Commissioner, give us a run down.

COMMISSIONER BARTHA:

What we're proposing here is to purchase a generator, large generator, that can be portable, we'll move it around as necessary during a major blackout to -- for buildings that don't have emergency power, such as the Legislative building. We can use it as backup at police precincts, which have a single generator, District Attorney, health centers. It's one that we're asking to purchase, but based on the situation at the time, it gives us the ability to react to those situations.

LEG. FOLEY:

There were experiences in the past where this would have been of help?

COMMISSIONER BARTHA:

Well, certainly in the summer when we had the most recent blackout, that's what prompted us to request these monies.

LEG. FOLEY:

Okay. I'll make a motion to approve.

LEG. O'LEARY:

Second.

MR. SABATINO:

Mr. Chairman, one correction for the record, the third whereas clause should be stricken because it makes reference to a change in the method of financing, but that's not the case here. It's a straight offset.

LEG. FOLEY:

Being that it's a whereas clause, we can still approve the resolution.

MR. SABATINO:  
Correct. Yes.

LEG. FOLEY:  
With those comments from Counsel, there's a motion to approve and a second by Legislator O'Leary. All in favor? Opposed? 2025 is APPROVED. (VOTE:6-0-0-0)

The chair is back, as is Legislator Crecca. Mr. Chairman.

CHAIRMAN CARACAPPA:  
Thank you, Legislator Foley. I appreciate you taking care of that.

2026-03. Amending the 2003 Capital Budget and Program and authorizing the purchase of up to twenty-five paratransit vans and related equipment, accepting and appropriating County (10%), State (10%), and Federal (80%) Funds for this acquisition. (COUNTY EXEC)

LEG. O'LEARY:  
Motion to approve.

CHAIRMAN CARACAPPA:  
Motion by Legislator Foley, seconded by Legislator O'Leary. All in favor? Opposed? Abstentions? APPROVED. (VOTE:6-0-0-0)

2027-03. Amending 1159-2002 for participation in construction in connection with replacement of the bridge carrying Mill Dam Road over Centerport Harbor, Town of Huntington. (COUNTY EXEC)

CHAIRMAN CARACAPPA:  
This is -- this was first instance funding?

COMMISSIONER BARTHA:  
That's correct. What this does is reduce the County share from what was previously laid out to the Legislature from \$562,000 to \$135,000.

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CHAIRMAN CARACAPPA:  
Motion by myself, seconded by Legislator Crecca. All in favor? Opposed? Abstentions? APPROVED. (VOTE:6-0-0-0)

2028-03. Amending Resolution Nos. 1136-2001, 206,2002 and 951-2002 for participation in construction in connection with safety improvements at various locations. (COUNTY EXEC)

CHAIRMAN CARACAPPA:  
Same situation, Commissioner?

COMMISSIONER BARTHA:  
That's correct.

CHAIRMAN CARACAPPA:  
Same motion, same second, same vote. APPROVED. (VOTE: 6-0-0-0)

2030-03. Authorizing the execution of an agreement between the County and the New York State Department of Transportation for 100% federal and state aid for funding for transit service improvements. (COUNTY EXEC)

LEG. FOLEY:  
Motion.

LEG. O'LEARY:  
Second.

CHAIRMAN CARACAPPA:  
Motion by Legislator Foley, seconded by Legislator O'Leary to approve and place on the Consent Calender. All in favor? Opposed? Abstentions? It's APPROVED and placed on the CONSENT CALENDER. (VOTE: 6-0-0-0)

2037-03. Authorizing County to enter into an Inter-Municipal Agreement with the Town of Southampton for the maintenance of parking regulation signs, bus stop location signs and bus passenger shelters. (COUNTY EXEC)

LEG. GULDI:  
Motion.

CHAIRMAN CARACAPPA:  
Motion by Legislator Guldi, seconded by Legislator O'Leary.

LEG. GULDI:  
To approve and place on the consent calender.

LEG. FOLEY:  
Mr. Chairman, I'd like to leave it on the regular calender, because -- and I'll tell you why, through the Chair, when other Legislators besides yourself see this, perhaps we can then attempt to persuade the townships that we represent to do the same thing, because I think this is -- this is a step forward, and I'd like to see other towns try to

do something similar with our -- particularly with our bus shelters.

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LEG. GULDI:

With all do respect, those of my colleagues who don't read the Consent Calender probably aren't going to listen when the Presiding Officer reads the description of the bill at the regular meeting in the event that it's not on the Consent Calender.

LEG. FOLEY:

I have high hopes for our final meeting of the year.

LEG. GULDI:

I don't.

LEG. FOLEY:

Therein lies the difference.

CHAIRMAN CARACAPPA:

There is a motion to approve, and I'm going to leave it at that, just a motion to approve. All in favor? Opposed? Abstentions?

APPROVED. (VOTE: 6-0-0-0)

LEG. GULDI:

Perhaps it was presumptuous for me to assume that people could read.

CHAIRMAN CARACAPPA:

He's going to have a great year.

LEG. GULDI:

Better than some.

2056-03. Amending Capital Resolution No. 1052-2002 for the purchase of up to twenty-eight transit buses, related spare parts, radios, fare boxes and bus inspection/audit services. (COUNTY EXEC)

LEG. FOLEY:

Motion.

CHAIRMAN CARACAPPA:

Motion by Legislator Foley.

LEG. O'LEARY:

Second.

CHAIRMAN CARACAPPA:

Seconded by Legislator O'Leary. All in favor? Opposed? Abstentions?

LEG. FOLEY:

The only thing I would ask, Mr. Chairman, are these going to be the low diesel particulate transit buses with the latest technologies?

COMMISSIONER BARTHA:

I will defer to Bob Shinnick on that.

LEG. FOLEY:

Because I know that that technology is widely available and is being used by other municipalities.

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MR. SHINNICK:

The answer is yes, they will be the best available clean diesel engines that are currently on the market.

LEG. FOLEY:

Very good.

CHAIRMAN CARACAPPA:

There's a motion and a second. All in favor? Opposed? Abstentions?  
2056 is APPROVED. (VOTE:6-0-0-0)

2058-03. Amending the 2003 Capital Budget and Program and appropriating funds in connection with the reconstruction of CR 17, Carleton Avenue/Wheeler Road, Town of Islip. (COUNTY EXEC)

CHAIRMAN CARACAPPA:

Motion by Legislator O'Leary, seconded by Legislator Lindsay. Counsel.

MR. SABATINO:

Again, Mr. Chairman, on the record, the third whereas clause should be stricken. It's not changing the method of financing, it's an actual offset. So with that change, you can approve it.

CHAIRMAN CARACAPPA:

Let the record reflect that. All in favor? Opposed? Abstentions?  
APPROVED. (VOTE:6-0-0-0)

LEG. CRECCA:

Commissioner, would you just have the details of that project sent to my district office or have somebody contact me.

COMMISSIONER BARTHA:

Sure.

2059. Amending the 2003 Capital Budget and Program and appropriating funds in connection with bulkheading at various locations. COUNTY EXEC)

LEG. O'LEARY:

Motion.

CHAIRMAN CARACAPPA:

Motion by Legislator O'Leary, seconded by Legislator Foley. All in favor? Opposed? Abstentions? APPROVED. (VOTE:6-0-0-0)

2073-03. Authorizing public hearing for authorization of approval to alter rates for South Ferry, Inc. (CARACCIOLO)

CHAIRMAN CARACAPPA:

Motion by myself, seconded by Legislator O'Leary. All in favor? Opposed? Abstentions? APPROVED. (VOTE:6-0-0-0)

2074-03. Authorization of alteration of rates for South Ferry, Inc. (CARACCIOLO)

CHAIRMAN CARACAPPA:

Motion to table pending the public hearing.

LEG. O'LEARY:

Second.

CHAIRMAN CARACAPPA:

By myself, seconded by Legislator Foley. All in favor? Opposed? Abstentions? TABLED (VOTE:6-0-0-0)

2075-03. Authorizing public hearing for authorization of license for At the Port Inc., for Cross Bay and along lateral license, Patchogue



River and Bay License, all within the County of Suffolk.  
(PRES. OFFICER)

CHAIRMAN CARACAPPA:

Motion by Legislator Foley, seconded by Legislator O'Leary to set the public hearing. All in favor? Opposed? Abstentions? Public hearing it set. APPROVED. (VOTE:6-0-0-0)

2076-03. Authorizing the license for the At the Port Inc., for Cross Bay and along lateral license, Patchogue River and Bay License, all within the County of Suffolk. (PRES. OFFICER)

LEG. FOLEY:

Motion to table.

CHAIRMAN CARACAPPA:

Motion to table by Legislator Foley.

LEG. FOLEY:

Pending a public hearing.

CHAIRMAN CARACAPPA:

Seconded by myself. All in favor? Opposed? Abstentions? ]  
TABLED. (VOTE:6-0-0-0)

2077-03. Authorizing public hearing for rates for At the Port Inc., for Cross Bay and along lateral license, Patchogue River and Bay License, all within the County of Suffolk. (PRES. OFFICER)

CHAIRMAN CARACAPPA:

Motion by Legislator --

LEG. FOLEY:

Just on the motion. Do we need to not even have a public hearing for rates until there is a public hearing in authorization of the license? We can't have a rates hearing before there's a license that's given.

MR. SABATINO:

Well, it's simultaneous. You're going to be holding two hearings. Just for the record, I mean --

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LEG. FOLEY:

Hold a public hearing for an entity where the licenses has not been

authorized.

MR. SABATINO:

Because they've made a -- they've made a dual application. They've asked for the license as well as the rates. So that's the normal way to do it. Just for the record, the resolutions that they submitted for the actual authorizations are totally defective. They have to be completely rewritten. Just for the record, you can't approve them in the current form they're in. They don't do anything.

CHAIRMAN CARACAPPA:

Which ones, Counsel?

MR. SABATINO:

The ones for At the Port, inc. The two that you tabled, you correctly tabled. But just in case somebody wants to make a motion to discharge, you can't, because something went wrong in the application process.

LEG. FOLEY:

Well, we approved the authorization for a public hearing.

MR. SABATINO:

The hearing is fine. The hearing is fine. Just in case somebody is thinking of maybe discharging on the floor, I'm just alerting you that you can't do that.

LEG. BISHOP:

Cross Bay?

CHAIRMAN CARACAPPA:

Yeah, Cross-Bay.

LEG. FOLEY:

There's no backup to it, number one. And I'm going to ask the Clerk's Office --

MR. SABATINO:

The defect is that the resolutions are gobbledygook. Whoever drafted them, they don't -- they don't grant -- they don't approve the rates that they are looking for, they do nothing. I mean, they're literally gobbledygook. If you read them, it's like somebody chewed up the sentences or the paper and left out all the words. You tabled them. You did the right thing. I'm just alerting you in case somebody wants to --

CHAIRMAN CARACAPPA:

The ferries in question that we're aware of are Fire Island Ferries and this is a separate entity.

MR. SABATINO:

No. The problem is with At the Port, Inc.

CHAIRMAN CARACAPPA:

I'm just saying the business. This is the -- Legislator Foley, this is different than Fire Island Ferries?

LEG. FOLEY:

Yes. This is a whole different protocol, sp to speak. It's on Patchogue River. There's no backup to the resolution also. So there's a lot of paperwork that still needs to be forwarded and distributed before any decision on this.

CHAIRMAN CARACAPPA:

Who drafted these resolutions?

LEG. FOLEY:

I concur with Counsel about how defective all these resolution are.

CHAIRMAN CARACAPPA:

We've taken the right course of action.

LEG. FOLEY:

We can move forward with the public hearings, but we can't do anything more than that.

CHAIRMAN CARACAPPA:

Right. So 2077 motion to table. There's a motion and a second. All in favor? Opposed? Abstentions?

MR. SABATINO:

It was to approve.

LEG. FOLEY:

Do we table the public hearing?

CHAIRMAN CARACAPPA:

Oh, I'm sorry, that's a public hearing.

MR. SABATINO:

The hearing was approved properly.

CHAIRMAN CARACAPPA:

That's to approve. 2077 is to approve the public hearing.

APPROVED. (VOTE:6-0-0-0)

2078-03. Authorization of rates for At the Port, Inc., for Cross Bay and along lateral license, Patchogue River and Bay License, all within the County of Suffolk. (PRES. OFFICER)

LEG. O'LEARY:

Motion to table.

LEG. FOLEY:

Second.

CHAIRMAN CARACAPPA:

Motion by Legislator O'Leary, seconded by Legislator Foley. All in favor? Opposed? Abstentions? TABLED. (VOTE:6-0-0-0)

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2087-03. Transferring Assessment Stabilization Reserve Funds to the Capital Fund, amending the 2003 Operating Budget, amending the 2003 Capital Budget and Program, and appropriating funds for improvements to Suffolk County Sewer District No. 18-Hauppauge Industrial. (COUNTY EXEC)

CHAIRMAN CARACAPPA:

Motion by Legislator Crecca, seconded by myself. All in favor? Opposed? Abstentions? APPROVED. (VOTE:6-0-0-0)

#### TABLED SENSE RESOLUTION

Sense 66. Memorializing resolution requesting Metropolitan Transportation Authority (MTA) to reject Huntington Rail yard locations. (COOPER)

CHAIRMAN CARACAPPA:

Is there a motion? Fails for lack of a motion.

#### SENSE RESOLUTION

SENSE 71. Memorializing resolution requesting Metropolitan Transportation Authority (MTA) to reject Smithtown Rail yard locations. (NOWICK)

LEG. CRECCA:

Motion.

CHAIRMAN CARACAPPA:

Motion by Legislator Crecca, seconded by myself. All in favor?

Opposed? One opposition, Legislator Lindsay. APPROVED (VOTE: 5-1-0-0)  
(Opposed; Legis. Lindsay)

LEG. FOLEY:

Mr. Chairman, I make a motion to reconsider Sense 66.

CHAIRMAN CARACAPPA:

There's a motion to reconsider Sense 66 by Legislator Foley, seconded by Legislator O'Leary. All in favor? Opposed? It's now back before us.

LEG. FOLEY:

Mr. Chairman, I'd like to make a motion to discharge from committee.

CHAIRMAN CARACAPPA:

Motion to discharge without recommendation by Legislator Foley.

LEG. O'LEARY:

I'll second.

CHAIRMAN CARACAPPA:

Seconded by Legislator O'Leary. All in favor? Opposed? Abstentions?

LEG. CRECCA:

Abstain.

CHAIRMAN CARACAPPA:

One abstention, Legislator Crecca. DISCHARGED WITHOUT RECOMMENDATION.  
(VOTE: 5-0-1-0) (Abstention; Legis. Crecca)

LEG. FOLEY:

Let the record reflect that the sponsor of the resolution on the floor can then decide how he wants to proceed with it.

LEG. LINDSAY:

It has to go somewhere.

LEG. FOLEY:

That's what I said. The railyard has to go somewhere.

LEG. CRECCA:

I was thinking Brookhaven maybe. No, I'm kidding. I represent Brookhaven, that was a joke.

CHAIRMAN CARACAPPA:

Is there any other business to come before this Legislative committee? Before we adjourn, I'd just like to say that this has been -- this is the last Public Works Meeting of the year, and I appreciate the work and the cooperation of my committee, this committee, the members, the staff, the stenographer, the Clerk's Office. I think it's been a very good year for this committee. We've handled a lot of big projects too. Department of Public Works and to your entire staff, we thank you as a committee for your ongoing cooperation with us. Without knowing who the next Chair or the makeup of this committee for the next year, I'd like to say it's been a pleasure serving as Chair of this committee and working with the Department of Public Works and my colleagues. So with all that being said, we're adjourned.

(\*THE MEETING WAS ADJOURNED AT 3:45 P.M.\*)

{ } DENOTES BEING SPELLED PHONETICALLY